

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Robert W. Gettleman	Sitting Judge if Other than Assigned Judge	Michael T. Mason
CASE NUMBER	10 C 331	DATE	8/26/10
CASE TITLE	United Central Bank vs. Kanan Fashions, Inc.		

DOCKET ENTRY TEXT

Status hearing held on 08/26/10 and continued to 10/07/10 at 9:00 am. Both parties' ESI liaisons were present in Court. For further detail, see below.

■ [ For further details see text below.]

Mailed notice.

00:30

STATEMENT

The parties report that they are currently conducting written discovery. As stated on the record, there continue to be numerous issues related to defendants' ESI. Each party shall submit to Chambers by 09/24/10 a statement of chronology outlining defendants' efforts to recover and produce any ESI, and defendants' communication with the Bank regarding these efforts. This shall include any efforts or communication related to any servers, including the server defendants have reported as defunct, as well as the server that defendants only recently brought to the Bank's and the Court's attention, located at a former Creative Warehousing site in Aurora.

The Court adopts the parties' proposed dates for discovery as follows. Defendants are to provide its back-up tapes to third party data processor, Digital Reef, by 08/30/10 in order to determine the availability of back-up data from the defunct server. Defendants are to catalogue its back-up tapes and provide information about the availability of back-up data by 09/15/10. The defendants are to obtain its server or a forensic image of its server at Creative Warehousing by 09/15/10. The Bank is to provide the defendants with date ranges and search terms for discovery of the emails on the defendants' exchange server by 09/10/10. The Bank is to identify the amount of culled and potentially responsive ESI and provide defendants with an estimated production date by 09/15/10. Counsel and their ESI liaisons are to meet and confer on 09/15/10 regarding all ESI discovery. The parties are to file a joint status report informing the Court of their compliance with these deadlines and the status of discovery by 09/24/10.

Additional discovery deadlines will be addressed at the 10/07/10 status hearing. The Court notes that it was difficult to set a status date prior to 10/07/10 because of scheduling conflicts due to religious holidays in September. The parties are reminded that they should be proceeding diligently with all written discovery. The parties are also reminded of their obligation under Local Rule 37.2 to meet and confer regarding any discovery disputes, and that letters or other written correspondence alone do not comply under that rule.

**STATEMENT**

Unless otherwise ordered, counsel for intervenor Western Springs National Bank need not be present at future status hearings before Magistrate Judge Mason.